

## Message Text

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FM SECSTATE WASHDC

TO USCINCEUR VAIHAIGEN GERMANY

CINCUSNAVEUR LONDON ENG

C O N F I D E N T I A L STATE 019126

EXDIS

MILITARY COMMANDS HANDLE AS SPECAT EXCLUSIVE

THE FOLLOWING IS A REPEAT OF AMEMBASY ATHENS 0713

ACTION SECSTATE INFO FRANKFURT 27 JANUARY 1975. QUOTE:

C O N F I D E N T I A L ATHENS 713

EXDIS

FRANKFURT FOR CO COMPANY "A"

DEPT PASS SECDEF, USCINCEUR, CINCUSNAVEUR AS INFO ROUTINE

E.O. 11652: GDS

TAGS: ASEC, AFSSO, MILI, OGEN

SUBJECT: SANCHEZ CASE: FURTHER VIEWS OF GREEK GOVERNMENT

REF: ATHENS 631

1. IN THE COURSE OF A MEEGING I HAD WITH FOREIGN MINISTER  
BITSIOS OVER THE WEEKEND, WHICH WAS PROMARILY DEVOTED TO OTHER  
SUBJECTS, I FOUND OCCASION TO DISCUSS WITH HIM OUR PRO-  
POSED HANDLING OF THE SANCHEZ CASE (REFTTEL AND TO PROBE  
FURTHER INTO HIS AND THE GREEK GOVERNMENT'S ATTITUDE. BITSIOS  
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SHOWED COMPELZE FAMILIARITY WITH THE CASE AND I GAINED THE

IMPRESSION THAT FURTHER DISCUSSION OF IT HAD OCCURRED WITHIN GOG SINCE DCM STEARNS HAD DISCUSSED IT WITH TZOUNIS JANUARY 21.

2. BITSIOS SAID THAT WHILE IN EXISTING CIRCUMSTANCES THE GREEK GOVERNMENT BELEIVED THAT A TRIAL OF SANCHEZ BY A GREEK COURT WOULD BEST CALCULATED TO LIMIT DAMAGE TO OVERALL GREEK-U.S. RELATIONS, HE THOUGHT THAT A SECOND BEST BUT ALSO ACCEPTABLE COURSE OF ACTION WOULD BE TO CONDUCT A U.S. COURT MARTIAL IN GREECE IF, SINCE SANCHEZ WAS A U.S. MARINE, IT WOULD BE POSSIBLE TO HOLD THE COURT MARTIAL ON ONE OF OUR HOMEPORTED ESTROYERS AT ELEFSIS--NOT RPT NOT AT THE EMBASSY--WITH A GREEK MAGISTRATE PRESENT AS A "SILENT OBSERVER." PRESENCE OF LATTER, HE BELEVED, WOULD AVOID IMPRESSION THAT USG WAS INSENSITIVE TO GREEK PUBLIC OPINION OR THAT COURT MARTIAL PROCEEDINGS WERE LESS THAN FAIR AND IMPARTIAL.

3. WITHOUT INDICATING WHAT OUR FINAL DECISION ON SANCHEZ WOULD BE, I THANKED BITSIOS FOR HIS COMMENTS AND ADVICE AND TOLD HIM THT WE WOULD KEEP MFA INFORMED OF FURTHER DEVELOPMENTS IN SANCHEZ CASE.

4. COMMENT: BITSIOS' AMPLIFICATION OF GOG ATTITUDE IS ENCOURAGING. IT SUGGESTS THAT HE HAS BEEN IN TOUCH WITH DEFENSE MINISTER AVEROFF AND PROBABLY ALSO WITH JUSTICE MINISTER STEPHANAKIS. HIS COMMENTS REENFORCE MY JUDGMENT THAT WE SHOULD PROCEED WITH U.S. COURT MARTIAL. IN ADDITION I BELIEVE WE SHOUSD TAKE VERY SERIOUSLY BITSIOS, ADVICE THAT COURT MARTIAL BE CONDUCTED ON HOMEPORTED SHIP IN THE PRESENCE OF A GREEK MAGISTRATE. IN VIEW OF THE WIDE SPECTRUM OF IMPORTANT AMERICAN INTERESTS WHICH COULD BE AFFECTED BY SANCHEZ CASE, IT BEHOOVES US TO ACCOMMODATE OFFICIAL GREEK VIEWS AS LONG AS THEY ARE CONSISTENT WITH THE RIGHTS OF SANCHEZ AS AN INDIVIDUAL, HIS PROSPECTS FOR A FAIR TRAIL AND OUR OTHER CONSIDERATIONS. THE FOREIGN MINISTER'S SUGGESTION THAT THE COURT MARITAL BE HELD ON A U.S. SHIP IN GREEK WASTERS IN THE PRESENCE OF A GREEK MAGISTRATE SEEMS TO ME TO MEET THESE CRITERIA.

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5. I REQUEST THE DEPARTMENT TO CONTACT DOD ON AN URGENT BASIS AND AT AN APPROPRIATELY HIGH LEVEL TO ASSURE THAT IT WILL BE POSSIBLE TO FOLLOW THE COURSE OF ACTION SUGGESTED BY BITSIOS. IN THIS CONNECTION, U.S. MILITARY AUTHORITIES ARE CURRENTLY MOVING AHEAD WITH PRE-TRIAL INVESTIGATIONS AND THE TIME IF RAPIDLY APPROACHING WHEN OUR DECISION TO COURT MARTIALSANCHEZ WILL BECOME PUBLIC KNOWLEDGE IN ATHENS. THIS COULD OCCUR IN NEXT FEW DAYS

WHEN GREEK WITNESSES ARE INTERROGATED. I THEREFORE WISH  
TO BE IN A POSITION TO STATE IN RESPONSE TO PRESS QUERIES  
THAT COURT MARTIAL WILL OCCUR ON HOMEPORTED DESTROYER IN  
PRESENCE--AT OUR REQUEST--OF GREEK MAGISTRATE. I SHOULD RECEIVE  
AUTHORIZATION TO DO THIS NOT LATER THAN THE OPENING OF BUSINESS JANUARY  
30.

KUBISCH

UNQUOTE KISSINGER

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## Message Attributes

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